

**EXPRESSING THE SENSE OF CONGRESS  
REGARDING THE TWO-YEAR ANNIVERSARY OF  
THE HUMAN RIGHTS CRACKDOWN IN CUBA**

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**JOINT MARKUP**

BEFORE THE  
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN  
RIGHTS AND INTERNATIONAL OPERATIONS

AND THE  
SUBCOMMITTEE ON  
THE WESTERN HEMISPHERE  
OF THE

COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

ON

**H. Con. Res. 81**

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**EXPRESSING THE SENSE OF CONGRESS REGARDING THE TWO-YEAR ANNIVERSARY OF THE HUMAN RIGHTS CRACKDOWN IN CUBA**

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**THURSDAY, MARCH 3, 2005**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS  
AND INTERNATIONAL OPERATIONS,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to call, at 3:44 p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. Pursuant to the Committee notice, I would like to deal with an item of legislative business before the Subcommittee. Without objection, the Subcommittee on Africa, Global Human Rights, and International Operations reports H. Con. Res. 81 favorably to the Full Committee.

[H. Con. Res. 81 follows:]

.....  
(Original Signature of Member)

109TH CONGRESS  
1ST SESSION

## H. CON. RES. \_\_\_\_\_

Expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba.

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### IN THE HOUSE OF REPRESENTATIVES

Mr. MENENDEZ submitted the following concurrent resolution; which was referred to the Committee on \_\_\_\_\_

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## CONCURRENT RESOLUTION

Expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba.

Whereas in March 2003, Cuban dictator Fidel Castro arrested more than 75 journalists, labor union organizers, civic leaders, librarians, and human rights activists as political prisoners;

Whereas the Cuban regime, after summary trials which were denounced by the international community, sentenced these innocent men and women to a total of more than 1,000 years in prison for trying to exercise their civil and political rights, many of whom are anticipated to die in prison before their sentence is completed;

Whereas the Charter of the United Nations reaffirms a commitment to fundamental human rights and to the dignity and worth of all people;

Whereas the Universal Declaration of Human Rights, which establishes global human rights standards, asserts that all human beings are born free and equal in dignity and rights, and that no one shall be subjected to arbitrary arrest or detention;

Whereas these arrests and convictions were an atrocious attempt by the Cuban regime to crush the citizens' movements for a free and democratic Cuba;

Whereas Fidel Castro has tentatively released a limited number of prisoners from jail but these political activists are subject to arrest and imprisonment at any time pursuant to "extra penal licenses";

Whereas in 2004, the Cuban regime continued its suppression of democracy and repression of human rights activists, imprisoning a significant number of political dissidents during the year on such charges as disrespect for authority, public disorder, disobedience, and resisting arrest;

Whereas in April 2004, the United Nations Commission on Human Rights adopted a resolution deploring the sentencing of "political dissidents and journalists" in 2003 and calling for a visit to Cuba by a Personal Representative of the High Commissioner for Human Rights which was later denied by the Cuban regime;

Whereas Fidel Castro continues to hold hundreds of political prisoners in his jail cells;

Whereas Amnesty International has recognized all journalists and activists who were arrested in the crackdown in March 2003 as prisoners of conscience;

Whereas the Cuban regime engages in torture and other cruel, inhumane, and degrading treatment and punishment against political prisoners to force them into submission, including intense beatings, extended periods of solitary confinement, and denial of nutritional and medical attention, according to the Department of State's Country Report on Human Rights 2004;

Whereas religious freedom in Cuba is severely circumscribed, and clergy and lay people suffer sustained persecution by the Cuban State Security apparatus;

Whereas the Cuban regime denies the people of Cuba equal protection under the law, disallows them recourse for remedying violations of human rights and civil liberties, and instead enforces a judicial system which infringes upon fundamental rights; and

Whereas the United States Congress has stood, consistently, on the side of the Cuban people and supported their right to be free: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
2   *concurring), That Congress—*

3            (1) condemns in the strongest possible terms  
4   the arrest of more than 75 journalists, labor union  
5   organizers, civic leaders, librarians, and human  
6   rights activists as political prisoners in March 2003  
7   and the Cuban regime's continuing repressive crack-

1 down against the brave internal opposition and the  
2 independent press;

3 (2) expresses its profound admiration and firm  
4 solidarity with the internal opposition and inde-  
5 pendent press of Cuba;

6 (3) demands that the Cuban regime imme-  
7 diately release all political prisoners, legalize all po-  
8 litical parties, labor unions, and the press, and hold  
9 free and fair elections;

10 (4) declares the acts of the Cuban regime, in-  
11 cluding its widespread and systematic violation of  
12 human rights, to be in violation of the Charter of  
13 the United Nations and the Universal Declaration of  
14 Human Rights;

15 (5) declares that the rule of law should replace  
16 the rule of force so that the fundamental and in-  
17 alienable rights of every individual in Cuba are pro-  
18 tected;

19 (6) calls for the European Union, as well as  
20 other countries and international organizations, to  
21 continue to pressure the Cuban regime to improve  
22 its human rights record; and

23 (7) calls for United Nations member countries  
24 to vote against Cuba's membership in the United  
25 Nations Commission on Human Rights and the pas-

1        sage of a resolution at the 61st session of the United  
2        Nations Commission on Human Rights that holds  
3        the Cuban regime accountable for its gross violations  
4        of human rights and civil liberties.

Mr. SMITH. Any member who wishes to have his or her remarks on this resolution inserted in the record is given leave to do so.

The business meeting is adjourned, and I yield to my friend.  
[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

Good Afternoon. In addition to today's important joint hearing on Year Two of Castro's Brutal Crackdown in Cuba, I am pleased to chair this Subcommittee markup of H.Con.Res. 81, "Expressing the Sense of Congress Regarding the Two-Year Anniversary of the Human Rights Crackdown in Cuba." I want to thank Mr. Menendez for his efforts to put Congress on record by introducing this bill, and I also want to thank our Ranking Democratic Member, Mr. Payne, for his support in bringing this bill before the Subcommittee.

Regrettably, conditions have not improved two years after Fidel Castro's egregious human rights crackdown in March 2003. Of the 75 brave dissidents arrested by the feared State Security apparatus that March, an alarming 61 remain in jail today. The alleged "crimes" of those who have been held for two years include advocating democracy, writing as independent journalists, and being men and women of faith. The bill before us today is an effort to stand with those prisoners and show that they are not forgotten.

Mr. BURTON. I want to thank Mr. Menendez, the Ranking Democrat on the Western Hemisphere Subcommittee for his hard work. He is a great patriot, and I have high regard for him, and I thank him for this resolution. I am proud to co-sponsor it with him.

The Western Hemisphere Subcommittee will now come to order, and without objection the Subcommittee on the Western Hemisphere reports H. Con. Res. 81 favorably to the Full Committee, and any Member who wishes to have their remarks on this resolution inserted in the record is given leave to do so.

And with that, the Western Hemisphere Subcommittee and their business meeting is now adjourned, and the resolution has been reported to the Full Committee.

[The prepared statement of Mr. Burton follows:]

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

As Chairman of the Subcommittee on Western Hemisphere, and long-standing critic of the Castro regime, I would like to thank Chairman Smith and Ranking Member Payne for working with Mr. Menendez and I to put on this joint hearing today; and help us highlight once again the atrocious human rights violations the Cuban people continue to suffer at the hands of Castro's oppressive regime.

I believe this hearing is especially timely, for two reasons. First, we are approaching the two-year anniversary of the most brutal attempt yet by the Castro regime to crush the efforts by the Cuban people to achieve a free and democratic Cuba. By holding this hearing today we are sending a strong message to the Cuban government that the United States will not forget those people who are languishing in Cuban prisons for the so-called crime of speaking out against the injustices perpetrated by the Castro regime.

Second, as U.S. servicemen and women put their lives on the line to bring freedom and democracy to areas of the world that have long suffered in the shadow of tyranny, Cuba represents a prime example—right in our own backyard—of what can happen if any Nation shuns democracy and subjugates itself to the whims of dictatorship.

Next week (March 9th), my Subcommittee will hold a hearing to examine the overall State of Democracy in Latin America. It is the intention of the Subcommittee to determine the strengths and weaknesses of democracy in our hemisphere, and I believe that an understanding of the situation in Cuba is key to our understanding of the current state of democracy in parts of our Hemisphere.

As it stands now, Cuba is the only nation in the hemisphere that is a complete dictatorship, and since the earliest days of the regime, Castro has not only stifled efforts to promote freedom and democracy in Cuba, but he has also actively been involved in promoting communism and dictatorships around the world, most especially in Central and South America. The fall of Castro's principle benefactor, the Soviet Union, may have caused a shift in Castro's tactics but he has never abandoned his ambition to export communism. In fact, in an August 2003 policy report, the Hudson Institute offered evidence that the Cuban government was providing assistance to the Chavez regime in Venezuela in an effort to turn that democratic country into a socialist dictatorship. Tragically, it seems that their sinister efforts may be bearing fruit as just last Friday President Chavez publicly and vocally embraced socialism as his ideology of choice.

The inauguration of Uruguay's first leftist president, Tabare Vazquez, just this past Tuesday marks a continuation of South America's political shift leftward. Only hours after receiving the presidential sash, President Vazquez moved to restore diplomatic relations with Cuba.

I am very concerned about the state of affairs in the Western Hemisphere and I am convinced that there will never be true lasting peace and freedom in the region until we solve the Cuba problem once and for all; and the only acceptable solution is a free and democratic Cuba.

We cannot ignore Castro and we cannot relieve the pressure on the regime. We owe it to the thousands of Cubans who risk their lives every year to flee the communist regime by any means necessary—even attempting to brave the hazardous 90-mile crossing between the United States and Cuba on makeshift rafts—as well as those languishing in Cuban jails to further open the eyes of the world community to the true evils of the Castro regime.

Today's hearing, and the resolution we will mark-up later this afternoon, send an important message to freedom loving people in Cuba, and indeed everywhere, that the United States stands ready with them to promote freedom and democracy for all; that we will never forget them, and we will not walk away until the job is done. I look forward to hearing from our witnesses.

[Whereupon, at 3:46 p.m. the Subcommittee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE ROBERT MENENDEZ, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEW JERSEY

[NOTE: The beginning of this prepared statement was presented in Spanish. The English translation follows.]

*A todos mis hermanos y hermanas quienes sufren en las cárceles de Castro, bajo su régimen, a sus familias y amistades aquí en los Estados Unidos y en Cuba, les digo que el pueblo americano está con ustedes. Y, aquí en el Congreso de los Estados Unidos, vamos a defender su libertad y ganar la lucha contra la brutalidad y la opresión.*

*Por eso, junto con mis otras colegas en el Congreso, escribí esta resolución que condena la ola represiva contra los disidentes que hizo la régimen Castro hace casi dos años y que declara que la gente cubana debe tener los derechos humanos y la libertad—la libertad de expresión y de asociación—y el derecho de tener elecciones libres.*

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[NOTE: English translation follows.]

*To all of my brothers and sisters who are suffering in Castro's jails and under his regime, to their families and friends here in the United States and in Cuba—I say to you, that the American people are with you. And, here in the Congress of the United States, we will defend your liberty and win the fight against brutality and oppression.*

*That's why, together with my other colleagues in Congress, I wrote this resolution which condemns the brutal crackdown against dissidents carried out by the Castro regime almost two years ago and which declares that the Cuban people must have human rights and freedom—freedom of expression and of association—and the right to hold free elections.]*

I would also like to thank Chairman Hyde and Ranking Member Lantos for holding this important mark-up today, Chairman Burton and Chairman Smith for their hard work and support of this resolution, and the many other Members of this Committee who have supported the resolution.

We are convening this mark-up today under the shadow of the 2nd anniversary of the crackdown on dissidents in Cuba.

We often think of an anniversary as a moment to celebrate—but clearly we have nothing to celebrate today.

Instead, we use this anniversary to mark a tragedy in the lives of the Cuban people and in the lives of all those who support democracy and human rights in the hemisphere.

The whole world was horrified as more than 75 journalists, human rights activists, and opposition political figures were arrested, given summary trials and then sentenced to prison terms of up to 28 years.

Many of the prisoners, along with other prisoners of conscience, spent over a year in solitary confinement. Some have been deprived of adequate medical treatment, and reports from Cuba detail beatings and harassment.

I am not fooled by the recent release of 14 dissidents, by this attempt to trick the international community. I am not fooled because I know that when they released those 14 dissidents, who should never have been in jail in the first place, they also arrested new dissidents. I am not fooled because I know that they only

released these dissidents on “parole,” meaning that they could be arrested again at any time.

Hundreds of political prisoners remain in Castro’s jails today.

Clearly, the Castro regime has no respect for the Universal Declaration of Human Rights, which states in Article 4 that, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

And the world has recognized these injustices.

The State Department calls this wave “the most despicable act of political repression in the Americas in a decade.”

Castro’s human rights record has been condemned by Amnesty International, Freedom House, and other human rights groups.

In a statement, Amnesty International said that these “prisoners of conscience” should be immediately released and called on the Cuban regime to, “comply with the principles laid out in international rights standards for the treatment of prisoners.”

Freedom House included Cuba in its report entitled, “The Worst of the Worst, The World’s Most Repressive Societies, 2004.”

And the House of Representatives has condemned Castro’s human rights record as well, in multiple resolutions.

This year, on the two-year anniversary, we are here to mark-up a resolution that condemns Castro’s brutal crackdown and demands that the Cuban regime immediately release all political prisoners, legalize all political parties, labor unions, and the press, and hold free and fair elections.

Today is a time for all of us to come together, from both sides of the aisle, to stand together for a universal cause: human rights.

Today, in voting for this resolution, we will celebrate the strength and perseverance of the Cuban people.

Today, we will vote for the universal values which we all share.

So I call on all of the Members of this Committee to join me in the fight for human rights and democracy for the Cuban people.

Now is the time for us to stand together against brutality, torture and dictatorship.

Now is the time for us to stand together for freedom, for the right to free speech and free association, and for human rights in general.

Now is the time for us to stand together as we call on the Cuban regime to immediately release these prisoners of conscience, who were jailed for standing up for democracy and human rights against a brutal dictatorship.

To my brothers and sisters who suffer in Castro’s jails, to their families and friends both here in the United States and Cuba, and to the Cuban people, I say that Castro will not succeed in his vain attempt to suppress the spirit of the Cuban people. I look forward to the day, which is coming soon, when we will all celebrate a free and democratic Cuba. It is the spirit of the Cuban people and their courage that will ultimately be Castro’s downfall.

So I ask each of you to join me in voting yes for this resolution.

